

Fed pers

12 August 1988  
OCA 2715-88

MEMORANDUM FOR: Chief, Administrative Law Division/OGC

FROM: [redacted] Legislation Division  
Office of Congressional Affairs

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SUBJECT: Federal Employees Health Benefits Amendments Act  
of 1988, H.R. 5102

1. Attached for your information is a copy of the above-captioned bill, which extends health benefits coverage to former employees, dependents, former spouses, and annuitants. The Committee on Post Office and Civil Service marked it up on 10 August 1988. While the Office of Personnel had previously indicated that the bill would pose a substantial administrative burden, the committee would accept no amendments. However, the staff members did indicate that they did not believe the bill took into account agencies administering their own programs and may be amenable to report language.

2. On 12 August 1988, the Office of Personnel indicated that there was another problem with the bill in that it allowed potential disclosure of covert employees through the disclosure of information regarding these employees and annuitants, their dependents and former spouses. Accordingly, [redacted] and I have drafted the attached report language designed to take care of these problems.

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3. It is likely that this bill will pass the House this session. However, no companion bill exists in the Senate. If you have any questions, please contact me on [redacted]

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Attachments

OCA/LEG/[redacted] (12 August 1988)

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1 - [redacted] (Liaison)STAT

1 - [redacted] Signer

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100TH CONGRESS  
2D SESSION

# H. R. 5102

To amend the provisions of title 5, United States Code, relating to the health benefits program for Federal employees and certain other individuals.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1988

Mr. ACKERMAN (for himself, Mrs. MORELLA, Ms. OAKAR, Mr. MYERS of Indiana, and Mr. LELAND) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To amend the provisions of title 5, United States Code, relating to the health benefits program for Federal employees and certain other individuals.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Federal Employees  
5 Health Benefits Amendments Act of 1988".

FEDERAL EMPLOYEES HEALTH BENEFITS AMENDMENTS ACT OF 1988  
H.R. 5102

Report Language

This measure does not aim to interfere with agencies which administer their own health benefits programs. For instance, for reasons of national security the Central Intelligence Agency manages its own insurance program. Information concerning certain employees, dependents, former employees, former spouses, and annuitants is classified and must be treated with certain precautions. The dissemination of this information should thus be proscribed whenever possible and the Director of the CIA given the flexibility to prescribe regulations consistent with, but perhaps not identical to, those prescribed by the Office of Personnel Management and which protect sensitive intelligence information. This does not allow the CIA the right to grant persons who may be enrolled in a health benefits plan under chapter 89 of title 5 lesser substantive benefits than other Government employees, their former spouses, and their family members. Rather, the CIA may deviate from the law's requirements only when necessary to protect intelligence sources and methods.